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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT AND THE COUNCIL**

**5th Annual Report on Immigration and Asylum (2013)**

{SWD(2014) 165 final}

# COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

## 5th Annual Report on Immigration and Asylum (2013)

### 1. INTRODUCTION

The year 2013 saw a much more significant increase in the number of asylum applications than had been witnessed for several years. There was also a sharp increase in the number of cases of persons detected crossing borders irregularly compared to 2012. This showed the need to take action at EU level to support Member States tackle the challenges of responding to migratory pressures, in full respect of migrants' fundamental rights. The tragic events on 3 October off the Italian island of Lampedusa, when a boat with over 500 migrants on board sank, and more than 360 persons died, marked a tragic milestone in the debate on migration and asylum in the European region. This was not an isolated incident. 40 000 persons are estimated to have arrived to Europe in 2013 via maritime routes, and of those, at least 600 are thought to have lost their lives in the attempt of reaching the EU's shores<sup>1</sup>.

A Task Force Mediterranean (TFM) was set up to develop a comprehensive strategy to prevent further losses of lives in the Mediterranean, and to identify priority actions for a more efficient short term use of European policies and tools, based on the principles of prevention, protection and solidarity. The TFM defined a wide range of measures for the whole Mediterranean area, set out in a Communication<sup>2</sup> adopted by the Commission on 4 December 2013. These include cooperation with third countries, enhancement of legal channels for migration, a clear commitment on resettlement, further steps to tackle trafficking in human beings and human smuggling and the reinforcement of border surveillance. The Communication stressed the need to provide operational support to Member States (MS) under pressure. The December European Council welcomed the Communication and invited the Commission to report back on its implementation.

But the tragedy of Lampedusa did not happen in a policy vacuum. The exacerbation of the conflict in Syria with the registered number of refugees from Syria reaching more than 2.3 million early 2014<sup>3</sup>, intensified the call upon the EU and MS to further develop immigration, asylum and external borders policies based on protection for migrants, and solidarity between MS. In this regard, a significant achievement was the adoption of the completed Common European Asylum System, which sets out common high standards and stronger cooperation to ensure that asylum seekers are treated equally in an open and fair system throughout the EU. 2013 also saw important developments on border management, notably on Schengen Governance and new proposals on Smart Borders.

Along with the need to respond to crisis situations, the EU continued to be confronted with the challenge to ensure economic recovery and growth. Well-managed migration can

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<sup>1</sup> From 1998 till 2013, 623 118 migrants have been found to reach the sea shores of the EU irregularly, representing an average of almost 40 000 persons a year. Source: *Migrants smuggled by sea to the EU: facts, laws and policy options*; Migration Policy Center;  
<http://www.migrationpolicycentre.eu/docs/MPC-RR-2013-009.pdf>

<sup>2</sup> COM(2013) 869 final

<sup>3</sup> <http://data.unhcr.org/syrianrefugees/regional.php>

contribute to boosting the economy, gaining access to needed skills and addressing labour market shortages.

EU action must also be seen in the wider political context of the EU relationship with respective partner countries and regions. The European Neighbourhood Policy (ENP)<sup>4</sup> and the Global Approach to Migration and Mobility (GAMM)<sup>5</sup> provide the framework for enhancing comprehensive dialogue and cooperation with partner countries on migration and mobility, with a view to, *inter alia*, address the root causes of irregular and forced migration, prevent dramatic incidents, protect migrants' lives and their fundamental rights.

Building on both the GAMM and the EU development policy – the Agenda for Change – the EU policy framework for migration and development was revised through the Communication on Maximising the Development Impact of Migration<sup>6</sup> and subsequent Council conclusions<sup>7</sup>, stressing the role of effective migration governance in enhancing positive synergies between migration and development, and reinforcing the EU's commitment to supporting developing countries strengthen migration governance.

2013 also saw important steps forward in setting the priorities and securing the EU funding for actions in the field of asylum, migration and integration, with the completion of negotiations on the Multi-annual Financial Framework 2014-2020. The Regulation establishing the new Asylum, Migration and Integration Fund (AMIF) and the new Internal Security fund (ISF) were approved by the European Parliament on 13 March 2014<sup>8</sup>.

This report summarises the Commission's assessment of EU level policy developments on immigration and asylum in 2013. It is complemented by a staff working document<sup>9</sup> providing more information and statistics on developments at both EU and Member State levels, the latter collected by the European Migration Network<sup>10</sup>.

## 2. KEY FIGURES OF EU MIGRATION IN 2013<sup>11</sup>

At the beginning of 2013, the EU population was 503 million, of which 20.4 million were third-country nationals, corresponding to 4% of the total population. In 2012, 2.1 million first residence permits were issued to third-country nationals<sup>12</sup>. Of these, 32% were given for family reasons, 23% for remunerated activities, 22% for study and 23% for other reasons (including international protection). The countries whose nationals were given the highest number of first permits are: United States of America with 200 000 third-country nationals representing 9.5% from the EU total followed by Ukraine, China and India with around 7.5% from EU total (163 000, 161 000 and 157 000). Significant number of permits (between 5% and 2.5% from EU total) were issued to nationals from Morocco (102 000), Russia (66 000), Philippines (62 000), Turkey (59 000) and Brasil (51 000).

<sup>4</sup> [http://eeas.europa.eu/enp/index\\_en.htm](http://eeas.europa.eu/enp/index_en.htm)

<sup>5</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/index_en.htm)

<sup>6</sup> COM(2013)292

<sup>7</sup> Council doc. 12415/13

<sup>8</sup> Expected entry into force second quarter 2014.

<sup>9</sup> SWD (2014)165

<sup>10</sup> EMN, <http://www.emn.europa.eu>

<sup>11</sup> Statistics presented in this Communication are primarily the latest available from Eurostat. More detailed statistics, some from the EMN and including breakdown by Member State, are included in the Statistical Annex of the Accompanying Staff Working Document SWD(2014)165.

<sup>12</sup> Eurostat data for 2012. 2013 data will become available in July 2013. SWD(2014)165, Statistical Annex, includes partial 2013 data submitted by the EMN.

The total number of asylum applications in 2013 amounted to 434 160, which represents a strong increase of around 100 000 applicants compared to the previous year. The largest group of applicants came from Syria (50 470 i.e. 12% of all applicants), with other significant countries being Russia, Afghanistan, Serbia Pakistan and Kosovo. Out of all applicants, 112 730 received protection at first instance (refugee: 49 510, subsidiary protection: 45 540 or humanitarian<sup>13</sup>: 17 685), around 35% of all first instance decisions taken<sup>14</sup>.

The vast majority of the more than 2.3 million persons who fled Syria since the outbreak of the conflict in 2011 found shelter in Lebanon, Turkey, Jordan, Iraq and Egypt<sup>15</sup>, with some 82 730<sup>16</sup> requesting asylum in the EU<sup>17</sup>.

The number of unaccompanied minors applying for international protection stayed the same as in 2012, with 12 425 applications submitted. Coming mostly from Afghanistan (3 310), Somalia (1 580), Syria (1 010) and Eritrea (715), the majority of these children were received by Sweden, Germany, the UK, Austria and Italy.

Statistics on irregular migration are likely to be incomplete or are affected by reliability weaknesses, due to the nature of the phenomena they intend to capture. Nonetheless, irregular migration continues to be a major component of migration to the EU. Indicators such as refusals, apprehensions and returns may be used, although also subject to many caveats.

In 2013,<sup>18</sup> some 317 840 persons were refused entry to the EU, which constitutes a slight increase of 0.6% from 2012, with the vast majority (61%) being refused in Spain. The number of apprehensions decreased, with 386 230 persons apprehended in 2013<sup>19</sup> (compared to 433 665 in 2012). In 2013 Member States returned around 166 470 non-EU citizens to third countries<sup>20</sup>. Quarterly Reports from Frontex<sup>21</sup> have also served to inform policymakers, in a timely manner, of the situation at the EU's external borders: in 2013 (January-September), 77 140 persons have been intercepted while crossing illegally the EU borders, with a significant increase from July affecting strongly the Italian coast, in particular due to the worsening of the Syrian crisis.

### **3. EFFORTS TO ENHANCE INTERNATIONAL PROTECTION**

#### **3.1. A major achievement: agreement on the Common European Asylum System**

The year 2013 was important for the advancement of the Common European Asylum System (CEAS). Negotiations on the recast Dublin<sup>22</sup> and Eurodac<sup>23</sup> Regulations and on the recast Reception Conditions<sup>24</sup> and the Asylum Procedures<sup>25</sup> Directives were finalised, and texts

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<sup>13</sup> Humanitarian protection is granted to those third-country nationals or stateless persons who are allowed to remain in the territories of the Member States for reasons not due to a need for international protection but on a discretionary basis on compassionate or humanitarian grounds.

<sup>14</sup> [http://epp.eurostat.ec.europa.eu/cache/ITY\\_PUBLIC/3-24032014-AP/EN/3-24032014-AP-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-24032014-AP/EN/3-24032014-AP-EN.PDF)

<sup>15</sup> <http://data.unhcr.org/syrianrefugees/regional.php>

<sup>16</sup> 50 470 in 2013, 24 115 in 2012 and 8 145 in 2011.

<sup>17</sup> Majority applied in DE and SE (one-third of the total each), followed by the BG, UK, NL, AT, DK and BE, with other MS only marginally affected.

<sup>18</sup> Eurostat; 2013 data not available for EL.

<sup>19</sup> Eurostat, 2013 data not available for EL and NL.

<sup>20</sup> Eurostat, 2013 not data available for EL.

<sup>21</sup> <http://www.frontex.europa.eu/publications>

<sup>22</sup> Regulation (EU) No 604/2013 (OJ L180, 29.6.2013, p.31)

<sup>23</sup> Regulation (EU) No 603/2013 (OJ L180, 29.6.2013, p.1)

<sup>24</sup> Directive 2013/33/EU (OJ L 180, 29.6.2013, p.96)

<sup>25</sup> Directive 2003/32/EU (OJ L 180, 29.6.2013, p.60)

were adopted on 26 June 2013<sup>26</sup>. The recast Directive on standards for the qualification as beneficiaries of international protection<sup>27</sup> and the extended scope of the Long term Residents Directive<sup>28</sup> to also include beneficiaries of international protection became operational. The CEAS will provide better access to the asylum procedure for those who seek protection; fairer, quicker and better quality asylum decisions; and dignified and decent conditions both for those who apply for asylum and those who are granted international protection within the EU. Over the next years, emphasis will be put on uniform implementation of the new asylum instruments across the EU.

### **3.2. Practical Cooperation and Intra-EU Solidarity**

#### *3.2.1. The European Asylum Support Office (EASO)*

EASO<sup>29</sup> continued to contribute to the development of practical cooperation initiatives in the field of asylum. In 2013, 2 111 officials were trained in the modules included in the EASO Training Curriculum<sup>30</sup>. EASO's activities included assistance to MS in enhancing the quality of the asylum procedures with a particular focus on access to protection, personal interview, evidence assessment, and family tracing. As regards Country of Origin Information (COI), the agency published a report on the Western Balkans<sup>31</sup> and held several workshops on Syria, Russia and other key countries of origin of asylum applicants. The so-called "network approach" was further developed, establishing networks of experts from MS who have regular contacts with key countries of origin in order to share information and contribute to harmonising decisions at EU level.

EASO continued to provide assistance to Greece, and activated a special support plan for Italy and Bulgaria due to the difficulties these countries faced in managing their asylum applications. The agency also developed actions in the field of relocation, resettlement and the external dimension of the CEAS. The second "Annual Report on the Situation of Asylum in the Union 2012"<sup>32</sup> published in July 2013 provided a state of play of the implementation of the CEAS and an analysis of asylum flows towards the EU.

#### *3.2.2. Emergency funding and asylum support to Member States*

Following the tragedy of Lampedusa, the Commission provided special support to the Italian authorities to help manage the migratory flows and better monitor the central Mediterranean route with a view to improve border surveillance and save lives. Frontex operations have been strengthened with an additional budget of EUR 7.9 million while Italy received emergency allocations under the European Refugee Fund (ERF)<sup>33</sup>, the External Borders Fund (EBF) and the Return Fund (RF) for a total of EUR 23 million.

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<sup>26</sup> More information: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/index_en.htm).  
Brochure : [http://ec.europa.eu/dgs/home-affairs/e-library/docs/ceas-fact-sheets/ceas\\_factsheet\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/docs/ceas-fact-sheets/ceas_factsheet_en.pdf)  
Infographic: <http://ec.europa.eu/dgs/home-affairs/e-library/multimedia/infographics>

<sup>27</sup> Directive 2011/95/EU (OJ L 337, 20.12.2011, p.9)

<sup>28</sup> Directive 2003/109/EC (OJ L 16, 23.1.2004, p.44), as amended by Directive 2011/51/EU (OJ L132, 19.5.2009, p.1).

<sup>29</sup> <http://easo.europa.eu>

<sup>30</sup> 1947 persons were trained through national trainings and 164 through train-the-trainer sessions in Malta. Around 200 were non-EU officials trained through projects such as UNHCR projects, Prague Process etc.

<sup>31</sup> <http://easo.europa.eu/wp-content/uploads/WB-report-final-version.pdf>

<sup>32</sup> European Asylum Support Office, 2013 <http://easo.europa.eu/wp-content/uploads/EASO-Annual-Report-Final.pdf>

<sup>33</sup> A total of EUR 12 million, 10 of which in response to the Lampedusa tragedy.

In addition, other 8 MS<sup>34</sup> benefitted in 2013 from emergency measures under the ERF for a total amount of EUR 36.34 million<sup>35</sup> which were dedicated to respond promptly to the consequences from the Syrian crisis.

In 2013 Greece received EUR 82.7 million<sup>36</sup> from the ERF, the RF and the EBF. The revised Greek Action Plan on Migration and Asylum Reform, presented in January 2013<sup>37</sup>, is the current point of reference at EU level for addressing emergency migration pressures and systemic deficiencies.<sup>38</sup> Greece has shown political will to improve its asylum system and migration policies. A political agreement was reached on increasing the open accommodation capacity for asylum seekers and vulnerable persons. The access to the asylum procedure has improved with the establishment of new Regional Asylum Offices. The First Reception Centre in Fylakio Evros and Screening Centres in the North Aegean islands (Lesvos, Chios and Samos) are now operational. Finally, six old detention centres, inadequate to host migrants in humane conditions, were closed down. Whilst clearly welcoming these developments, the Commission considers that further work is needed, particularly as regards the respect of human rights, the continuous provision of services and living conditions in detention facilities. The Commission, including the Task Force on Greece, will continue to work with the Greek authorities in order to facilitate the effective implementation of the action plan. Continued support and solidarity from other MS is also necessary.

The Commission carried out missions to discuss with Cyprus the need to improve its asylum system, and in particular to increase open accommodation capacities and improve reception conditions. In this context, the EUR 2.7 million total ERF allocations for both 2012 and 2013 will be mainly invested towards the amelioration of reception conditions. Cyprus also benefitted from the 2013 ERF emergency measures stated above.

As a result of a sharp increase of the number of migrants crossing the Bulgarian-Turkish border and persons applying for international protection, the Bulgarian authorities requested assistance from, among others, the EU. In October 2013, the Commission, supported by EASO and Frontex, carried out an assessment and identified two main areas of concern: reception and accommodation capacity; and the capacity to process increased numbers of requests. To address these shortcomings, EASO and the Bulgarian authorities signed an

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<sup>34</sup> DE, FR, HU, MT, NL, CY, EL, BG.

<sup>35</sup> Including EUR 12 million to Italy.

<sup>36</sup> In 2011-2013, Greece was allocated with the amount of EUR 97.88 million for the Return Fund, nearly EUR 130 million for the External Borders Fund (EBF) and EUR 23.97 million for the European Refugee Fund (ERF). Although the ERF allocation for 2013 was limited to EUR 3.2 million, the Greek allocations under the Return Fund and the External Borders Fund for 2013 were respectively EUR 35.5 million and EUR 44 million.

<sup>37</sup> Executive Summary of the revised Greek Action Plan on Asylum and Migration Management (December 2012)  
[http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/libe/dv/p4\\_exec\\_summary/p4\\_exec\\_summary\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/libe/dv/p4_exec_summary/p4_exec_summary_en.pdf)

<sup>38</sup> It covers: the creation of a Screening procedure at the border in accordance with EU law; the reform of Asylum Procedure by the establishment of a new Asylum Service and an independent administrative Appeals Authority; tackling the backlog cases during the transitional period; increasing the reception capacity for asylum seekers; and the establishment of an effective Return System. The Commission initiated an exercise of prioritising the implementation of the revised Greek Action Plan, placing an emphasis, *inter alia*, on those actions aimed at addressing the main concerns forming the basis for the condemning judgement of the European Court of Human Rights on the MSS Case, as well as concerns raised in on-going infringement proceedings. The Commission, along with EASO and other stakeholders, continued providing support to Greece in improving its asylum system, including targeted funding and the deployment of EASO Asylum Support Teams.

Operational Plan, running until September 2014. Bulgaria was assisted by teams of experts seconded from other MS and received EUR 5.65 million under the emergency envelope of the ERF to enlarge and enhance its accommodation capacity. EUR 2.4 million has been awarded under the EBF to help the Border Police identify and register new arrivals, improve accommodation capacities, support costs of internal transportation of migrants, maintain border control and survey technical equipment.

### 3.2.3. *Relocation within the EU*

The first annual Relocation Forum of 25 September 2013<sup>39</sup> was an opportunity for MS to discuss with the Commission both their needs for relocation and their intentions as regards future relocation activities. The Communication on the work of the TFM also recalled the importance of relocation as a key instrument for voluntary solidarity.

## 3.3. **Regional Protection Programmes and Resettlement**

The inclusion of international protection and the external dimension of asylum as a specific thematic priority of the revised GAMM in 2012 has allowed these issues to be addressed in a more systematic and strategic manner through the policy dialogues and operational cooperation. One example is the establishment of a national asylum system which is one of the main commitments made by Morocco in the context of the EU-Morocco ENP Action Plan and the Mobility Partnership, signed in June 2013.

Migration as a consequence of the conflict in Syria remained an important challenge for the asylum systems of some MS (Bulgaria, Greece, Cyprus), with others witnessing an increase in the number of asylum requests.

Regional Protection Programmes (RPPs) and resettlement are key instruments to enhance solidarity with non-EU countries and to help refugees and other persons in need of protection. The resettlement of refugees is an act of solidarity between the EU MS and third countries that are hosting large refugee populations. The Commission's goal is to ensure more refugees are resettled each year by more MS, while respecting the voluntary nature of resettlement. In reaching agreement on the Joint EU Resettlement Programme<sup>40</sup>, Member States agreed for the first time on common EU resettlement priorities for 2013<sup>41</sup>. This gives a strong political signal of unity and solidarity and shows the importance that the EU and the MS attach to directing the Union's resettlement efforts towards protracted situations that need special attention.

In 2014 the Commission will finalise the launching of a Regional (Development) and Protection Programme in the Middle East. The United Nations High Commissioner for Refugees (UNHCR) called for some 12 000 places for the resettlement and humanitarian admission of persons from Syria in 2013, and some 30 000 by the end of 2014. The Commission supported this call and several MS<sup>42</sup> responded by offering more than 13 100 places.

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<sup>39</sup> Recognising that Member States were predominantly against the Commission's suggestion as set out in *Communication on enhanced intra-EU solidarity in the field of asylum* COM(2011) 835 for a voluntary, permanent relocation scheme, the Commission hosted a Relocation Forum to discuss relocation needs, capacities and political concerns.

<sup>40</sup> Decision 281/2012/EU of 29 March 2012. <http://www.resettlement.eu>

<sup>41</sup> Under this scheme, the participating Member States pledged to resettle 3 962 refugees in 2013. This is an increase compared with 2012 when 3 083 resettlement places were pledged.

<sup>42</sup> AT, BE, FI, FR, DE, HU, IE, LU, NL, ES, SE.

The EU policy framework for migration and development<sup>43</sup> was also revised in 2013, and steps will be taken to fully integrate forced migration into the development-migration agenda and ensure that refugees and other forced migrants are included in long-term development planning, so as to prevent future displacements and strengthen efforts to find durable solutions.

### **3.4. Unaccompanied minors**

Unaccompanied minors form a vulnerable group that continued to receive much attention in 2013, with the focus being equally on those who apply for asylum and those who do not. In September 2013 the European Parliament adopted a Resolution on the situation of unaccompanied children in the EU, calling upon the Commission and MS to increase efforts for the protection of this vulnerable group. EASO continued its work on age assessment<sup>44</sup>, family tracing, and countries of origin.

### **3.5. Eradicating Trafficking in Human Beings and fighting against smuggling**

In April 2013 the Commission published the first statistics report on trafficking in human beings at EU level<sup>45</sup>. 23 632 people were identified or presumed victims of trafficking in the EU over the 2008-2010 period; 80% of victims were women and girls, 20% men and boys. The majority were trafficked for sexual exploitation (62%), followed by forced labour (25%) and trafficking in other forms including for removal of organs, for criminal activities or for selling of children (14%).

The deadline for transposing Directive 2011/36/EU<sup>46</sup> on preventing and combating trafficking in human beings and protecting its victims expired in April 2013. Whilst 21 MS have notified full transposition, the Commission is pursuing infringements against those who have not done so.

The TFM Communication devotes a chapter to the fight against trafficking and smuggling, which outlines concrete actions to be undertaken and stresses the necessity to reconcile an effective fight against smuggling with the need to avoid criminalisation of humanitarian assistance.

## **4. PROGRESS IN DEALING WITH MIGRATORY PRESSURES**

### **4.1. Continuing the coherent approach to reducing Irregular Migration**

In line with the strategic priorities identified in the 3<sup>rd</sup> Biannual Update<sup>47</sup> of the "EU Action on Migratory Pressures – A Strategic Response"<sup>48</sup> in 2013 several results were achieved. New readmission agreements were signed (Armenia, Cape Verde, Turkey) and work continued to ensure the full implementation of existing ones. The readmission agreement with Armenia

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<sup>43</sup> Communication on Maximising the Development Impact of Migration, COM(2013)292 of 21.5. 2013

<sup>44</sup> <http://easo.europa.eu/wp-content/uploads/EASO-Age-assessment-practice-in-Europe.pdf>

<sup>45</sup> [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>46</sup> OJ L101, 15.4.2011, p.1. Directive not applied by Denmark.

<sup>47</sup> Doc. 16344/13, Approved by SCIFA/Mixed Committee 21 November 2013.

<sup>48</sup> The 'EU Action on Migratory Pressures –A Strategic Response' comprises seven strategic priority areas: I) Strengthening cooperation with third countries of transit and origin on migration management; II) Enhanced border management at the external borders; III) Preventing illegal immigration from Turkey; IV) Better tackling of abuse of legal migration channels; V) Safeguarding and protecting free movement by prevention of abuse by third country nationals; VI) Enhancing migration management, including cooperation on return practices; VII) Preventing illegal immigration from and via the Southern Mediterranean countries.



entered into force on 1 January 2014, Readmission negotiations were completed with Azerbaijan and negotiations opened with Belarus in February 2014. Steps were undertaken to prevent irregular migration via the Greek-Turkish border, also thanks to the active involvement of Frontex, which continued its work in combating and preventing irregular migration, with a special focus on the Western Balkans and Eastern Europe. A number of actions took place with the aim of gathering, analysing and sharing data on fraud, and to share intelligence and best practices for prevention between MS.

#### **4.2. Return policy**

A Communication on the EU Return Policy<sup>49</sup> was adopted in March 2014, reporting on the development of the EU return policy over the last years, analysing its impact and presenting forward-looking ideas.

Considerable progress was made in 2013 in the evaluation and promotion of a correct and harmonised application of the Return Directive<sup>50</sup>, which promotes operational cooperation and provides a legal framework for the conduct of return measures across the EU. A significant number of MS have started or completed amending their national legislation to remedy identified shortcomings.

Voluntary departure remains the preferred option to carry out returns, although in some cases forced returns may be necessary. MS made increasing use of joint return operations (JROs) coordinated and financed by Frontex. In addition Frontex provided training for return officers focussing on safeguarding fundamental rights and dignity of returnees during forced return operations.

Member States are encouraged to give an ambitious follow-up to the suggestions made by the Commission in the Return Communication. Emphasis is put on the adoption of a "Return Handbook" containing guidelines, best practices and recommendations for authorities carrying out return related activities; an enhanced information exchange between national forced return monitoring bodies in order to foster a more harmonised conduct of monitoring; and the use of the European Migration Network as a platform to facilitate cooperation, in particular as regards voluntary departure.

#### **4.3. Employer Sanctions Directive**

In 2013 work progressed on the assessment of the implementation of the Employers Sanctions Directive<sup>51</sup>. The first Commission's report on the implementation of the Directive<sup>52</sup> concludes that all MS bound by it<sup>53</sup> prohibit the employment of irregular migrants, and punish their employers through financial and criminal sanctions. A number of MS have made sanctions tougher, for example by raising the amount of fines or the severity of criminal sanctions, and the level of the sanctions varies considerably.

Not all MS have yet implemented the protective elements in favour of the irregular migrants in a satisfactory manner, leaving room for improvement notably on the right to introduce a claim against an employer, effective mechanisms to do so, and the systematic and objective information on rights.

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<sup>49</sup> COM(2014)199 of 28.3.2014

<sup>50</sup> Directive 2008/115/EC (OJ L 348, 24.12.2008, p.98)

<sup>51</sup> Directive 2009/52/EC (OJ L 168, 30.6.2009, p. 24)

<sup>52</sup> COM(2014)286 of 22.05.2014

<sup>53</sup> Not applied by DK, IE, UK. HR not yet assessed.

Inspections are the backbone to enforce the prohibition of illegal employment and to inform irregular migrants about their rights. The inspections' reports communicated so far are often not complete, nor easily comparable, rendering a meaningful EU-wide synthesis of inspections and their results difficult. The information collected suggests however that there are big gaps in enforcement efforts between MS.

Member States are obliged to report on inspections each year before 1 July, and the Commission will continue to monitor the measures taken to ensure that effective, proportionate and dissuasive sanctions are applied across the EU and that mechanisms to facilitate the enforcement of irregular migrants' rights are in place. An effective enforcement of the Directive shall constitute an incentive for the employers to recruit third countries nationals via legal channels, for the benefit of the migrants, the employers and the MS.

## **5. NEW DEVELOPMENTS IN BORDER MANAGEMENT**

### **5.1. EU's external borders**

#### *5.1.1. Update of the activities of Frontex*

As the migratory pressure remained high on the EU's external borders in the course of 2013, Frontex continued supporting and coordinating the operational response of MS, notably through joint operations at the most affected land borders as well as along the main maritime migratory routes, always with particular emphasis on promoting best practices of border management and full respect of fundamental rights. Whilst the primary objective of Frontex-coordinated joint operations at sea is to prevent irregular entry across the external borders, they have aimed also at early detection of migrants in distress and contributed to saving their lives. In April 2013, the Commission presented a proposal<sup>54</sup> for a regulation establishing rules for sea operations coordinated by Frontex. Negotiations between the Council and the European Parliament have been concluded and the Regulation will enter into force shortly.

#### *5.1.2. European border surveillance system (EUROSUR)*

The Regulation establishing the European Border Surveillance System<sup>55</sup> entered into force on 2 December 2013<sup>56</sup>, making EUROSUR operational for the 19 Schengen Member States at the southern and eastern external borders. The remaining 11 Schengen countries will join EUROSUR on 1 December 2014<sup>57</sup>.

EUROSUR is a multipurpose system to detect and prevent cross-border crime, such as drug trafficking, as well as to contribute to saving migrants' lives at the external borders of the Schengen area. It provides a common mechanism for near-real time information exchange and interagency cooperation in the field of border surveillance. All national authorities with a responsibility for border surveillance are required to coordinate their activities via national coordination centres with each other, with other MS and with Frontex. The EUROSUR Regulation requires Member States and Frontex to fully comply with fundamental rights, in particular the non-refoulement principle and personal data protection.

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<sup>54</sup> COM(2013)197 of 12.04.2013. Intended to replace Council Decision 2010/252/EU, annulled by the Court of Justice of the EU in September 2012.

<sup>55</sup> Regulation (EU) No 1052/2013, OJL 295, 06.11.2013, p.11

<sup>56</sup> Following the formal adoption in October 2013.

<sup>57</sup> EUROSUR infographic:

[http://ec.europa.eu/dgs/home-affairs/e-library/docs/infographics/eurosur/eurosur\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/docs/infographics/eurosur/eurosur_en.pdf)

This new instrument constitutes also a cornerstone of the EU response to the tragedy of Lampedusa, allowing monitoring of the sea border and better identification of migrant's boats in distress. This should be harnessed further by making best use of other existing systems such as the ones developed by the European Maritime Safety Agency (EMSA).<sup>58</sup>

## 5.2. Schengen Governance

### 5.2.1. *Biannual reports on Schengen area*

The 4<sup>th</sup> biannual report was adopted on 28 November 2013<sup>59</sup>, presenting information on the overall picture (external borders, secondary migratory flows, Schengen evaluation mechanism, EUROSUR and rules on Frontex sea border operations), on the application of the Schengen *acquis* (*inter alia* occurrences of reintroduced control at internal borders and pending infringement cases) as well as related issues such as the use of the Schengen Information System, the Visa Information System, visa policy and readmission agreements.

### 5.2.2. *New Schengen evaluation mechanism/Schengen governance*

After long and complex negotiation, the Regulation establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*<sup>60</sup> was adopted on 7 October 2013.<sup>61</sup> The new mechanism will allow monitoring the situation, providing for support, and remedying weaknesses in order to maintain the mutual trust within the Schengen area. Regulation 1051/2013<sup>62</sup> provides for common rules on the temporary reintroduction of border control at the internal borders for exceptional circumstances where the Schengen evaluation mechanism identified persistent serious deficiencies at the external borders.

### 5.2.3. *Technical amendment of the Schengen Borders Code*

Long-time expected, Regulation (EU) No 610/2013 modifying in particular the Schengen Borders Code entered into force on 19 July 2013<sup>63</sup>. It improves the clarity and narrows the scope of different interpretations of the Schengen Borders Code and responds to practical problems that have arisen since the entry into force of the Code. It also introduces a clear and harmonised definition of the calculation method of short stays for third-country nationals in the Schengen area and new legal framework for bilateral agreements establishing shared border crossing points at the external borders.

### 5.2.4. *Introducing Smarter Borders*

Facilitating border crossing of third country nationals to enter the EU is another way to make the EU a more attractive destination. In February 2013 the Commission presented a "smart border package", consisting of proposals for an "Entry-Exit System (EES)"<sup>64</sup>, a "Registered Traveller Programme (RTP)"<sup>65</sup> and subsequent amendments of the Schengen Borders Code, to speed-up, facilitate and reinforce border check procedures for foreigners travelling to the

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<sup>58</sup> <http://www.emsa.europa.eu/>

<sup>59</sup> COM(2013) 832 final of 28.11.2013

<sup>60</sup> Regulation (EU) No. 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, (OJ L 295, 6.11.2013, p. 27).

<sup>61</sup> Applying 27.11.2014. The Commission is currently preparing a smooth implementation of the new evaluation mechanism.

<sup>62</sup> Regulation (EU) No 1051/2013, amending Regulation EC No 562/2006, (OJ L 295 of 6.11.2013, p. 1).

<sup>63</sup> OJL 182, 29.6.2013, p. 1.

<sup>64</sup> COM(2013) 95 of 28.2.2013

<sup>65</sup> COM(2013) 97 of 28.2.2013

EU. The first discussion on the proposals in the Council was completed by early 2014. The European Parliament also expressed preliminary views. The Commission suggested carrying out a study (launched in March 2014) that will further analyse certain underlying technical elements of the proposals. A pilot-scheme – intended to be entrusted to eu-LISA – will test in 2015 both the detailed design of the technical architecture and the underlying operational processes.

### **5.3. Visa Policy**

In 2013 agreement was found between the co-legislators on a revised reciprocity mechanism and the new visa suspension mechanism included in the Commission proposal<sup>66</sup> amending Council Regulation (EC) 539/2001<sup>67</sup>, which enabled its entry into force in January 2014.

In early 2014 agreement between co-legislators was also reached on the Commission proposal amending the visa lists of Council Regulation (EC) 539/2001. The amendment, which provides for the transfer to the visa free list of 16 small Caribbean and Pacific island nations, as well as the United Arab Emirates, Peru and Columbia, is likely to enter into force in June 2014. The Commission proposal amending Regulation (EC) No 539/2001 with a view to transferring the Republic of Moldova to the visa free list<sup>68</sup> was approved by co-legislators early April 2014 and will enter into force at the end of the same month.

Revised visa facilitation agreements (VFA) with Ukraine and the Republic of Moldova entered into force in July 2013. VFAs with Armenia and Cape Verde were concluded, and the one with Armenia entered into force on 1 January 2014. A VFA with Azerbaijan was signed in November and for Morocco negotiating directives were adopted by the Council in December.

On 1 April 2014 the Commission adopted a report on the implementation of the Visa Code and a proposal for a revision to ensure that EU visa policy contributes to fostering economic growth and cultural exchanges by facilitating travel of legitimate travellers, such as business people, tourists, students and young people, while continuing to ensure a high level of security for the EU<sup>69</sup>.

The roll-out of the Visa Information System continued in 2013 to include eight additional regions<sup>70</sup>.

## **6. ENHANCING LEGAL MIGRATION ROUTES TO EUROPE**

### **6.1. Towards new EU rules on legal migration**

2013 was a year of intensive negotiation on EU legislation on legal migration. A new Directive on Seasonal Employment was agreed by co-legislators in November and adopted in February 2014<sup>71</sup>. This is the first directive addressing mainly low-skilled migrants and circular migration, i.e. migrants coming to the EU for short periods and going back to a third country after the end of the contract. Once implemented into national law by 30 September

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<sup>66</sup> COM(2011) 290 of 24.5.2011

<sup>67</sup> Regulation (EC) No 539/2001 of 15.3.2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. OJ L 81, 21.3.2001, p.1.

<sup>68</sup> COM(2013) 853 of 27.11.2013

<sup>69</sup> COM(2014) 165 and COM(2014)164 of 1.4.2014.

<sup>70</sup> West Africa, Central Africa, East Africa, Southern Africa, South America, Central Asia, South East Asia and the occupied Palestinian territory.

<sup>71</sup> Directive 2014/36/EU of 26 February 2014 (OJ L 94, 28/03/2014, p. 375–390).

2016, seasonal workers will enjoy equal treatment with nationals of the host MS on terms of employment and working conditions, and MS shall check these workers have access to appropriate accommodation. More controls will reduce the risk of irregular employment and exploitation of vulnerable groups.

Intensive negotiations on the proposal for a Directive on Intra-corporate Transferees<sup>72</sup> resulted in political agreement early in 2014. The new Directive is expected to generate economic growth by, on the one hand, bringing an added value to the existing EU free trade agreements and, on the other hand, helping attracting new investments to the EU. The agreement includes a workable system for intra-EU mobility — which is of particular importance to this category of professionals — and adequate rights and working conditions of intra-corporate transferees.

A new proposal<sup>73</sup> for a recast Directive on the rules for the conditions of entry, residence and rights of third-country national researchers, students, trainees, pupils, volunteers and au-pairs, presented by the Commission in March 2013, has been discussed extensively with the Council and the European Parliament. Compared to existing rules, the proposal contains clearer admission conditions and procedural guarantees, an increased coherence with EU mobility programmes, and gives students more opportunities to seek work during and after their studies. It also aims at providing better protection and to address certain rights to equal treatment with nationals.

## **6.2. Better implementation of existing legislation**

The Commission's prepared its first report<sup>74</sup> on Member States' implementation of the EU Blue Card Directive<sup>75</sup>. All participating MS have now transposed the Directive and can deliver Blue Cards to highly skilled third-country national applicants.

The first available statistics<sup>76</sup> reported in 2013 show that 3 664 Blue Cards were issued in 2012, of which 2 584 in Germany. 146 Blue Cards were renewed and 1 withdrawn. Together with the Blue Card holders, 1 107 family members were admitted and 108 residence cards for family members were renewed. Based on the currently available data, it is not yet possible to draw final conclusions on the effectiveness of the scheme in attracting highly qualified third country nationals to the EU. However, it seems clear that the coexistence of national schemes for highly qualified workers and the lack of information and communication on the Blue Card had an impact on the low number of Blue Cards issued in some countries.

The Commission continues its assessment of MS' implementation and will launch, if needed, infringement procedures in relation to potential cases of non-conformity.

In follow-up to the 2011 Green Paper on the right to family reunification<sup>77</sup>, the Commission adopted guidelines<sup>78</sup>. This Communication provides guidance to MS on how to better apply Directive 2003/86/EC<sup>79</sup>. It aims at clarifying the issues identified during the public consultation, ensuring a transparent and clear understanding of family reunification rules at EU level, and contributing to their coherent application.

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<sup>72</sup> COM(2010)378. See [EP Legislative Observatory : Inter-institutional reference 2010/0209\(COD\)](#)

<sup>73</sup> COM(2013)151 of 25.3.2013. Existing legislation Directives 2005/71/EC (researchers) and 2004/114/EC (students)

<sup>74</sup> COM(2014)287 of 22.05.2014

<sup>75</sup> Directive 2009/50/EC (OJ L 155, 18.6.2009, p.17) Not applied by DK, IE, UK.

<sup>76</sup> For 2012, relating to 22 Member States.

<sup>77</sup> COM(2011) 735 final.

<sup>78</sup> COM(2014) 210 of 3.4.2014

<sup>79</sup> OJ L251, 3.10.2003, p.12.

In 2013, the extension of the scope of the Long-term residents Directive<sup>80</sup> to include also beneficiaries of international protection became operational, however by the end of 2013 complete transposition was missing from 10 MS. Based on complaints received, the Commission also pursued action against a number of MS, which led to changes of national legislation in order to ensure proper implementation. Efforts were devoted to identify priority areas needing closer monitoring such as equal treatment for long-term residents and intra-EU mobility rights. The Commission will continue to ensure that migrant's rights are guaranteed and that the provisions and spirit of the Directive are fully respected.

In December, the new on a single application procedure for a single permit and equal rights for third country workers<sup>81</sup> became applicable. By the end of 2013, full transposition had only been notified by 8 MS. Infringements have been initiated against the other Member States. When fully applied, this Directive will help counteract social dumping and exploitation of third-country workers in the EU. It will ensure that workers covered by the Directive, including those working on national permits, will have the right to equal treatment compared to nationals with regard to important aspects as conditions of work, access to goods and services, and access to social security.

### **6.3. Legal migration as a tool for growth**

The EU has for some time been facing significant challenges related to the lack of growth, alongside the deepening of labour market shortages in certain areas, lack of needed skills and an impact of an ageing population on productivity and competitiveness. Several initiatives in 2013 looked at the contribution of migrants to economic growth, and put forward evidence confirming the benefit of a well-managed migration<sup>82</sup> and trade related mobility.

The Entrepreneurship 2020 Action Plan<sup>83</sup>, identifying action to unleash Europe's entrepreneurial potential, remove obstacles and revolutionise the culture of entrepreneurship, recognised that migrants represent an important pool of potential entrepreneurs in Europe.

### **6.4. Better knowledge to support migrants' integration**

In a context of global economic crisis, third-country nationals were still significantly affected by difficulties in accessing the labour market, lower performances in education or risk of poverty and social exclusion. The EU indicators of immigrant integration point to a worsening situation compared to EU citizens in 2013. For example, in 2013, 22% of third-country nationals were unemployed as compared to the EU rate of 11% (in 2012 the rate was 21.3% as opposed to 10.6% for the EU). Four MS (AT, BE, DK and SE) received country-specific recommendations on labour market integration of third-country nationals in the framework of the 2013 European Semester<sup>84</sup>. As regards poverty and social exclusion, available 2012

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<sup>80</sup> Directive 2003/109/EC, as amended by Directive 2011/51/EU (OJ L16, 23.1.2004, p.44, OJ L 132, 19.5.2011, )

<sup>81</sup> Directive 2011/98/EU (OJ L 343, 23.12.2011, p.1). Not applied by DK, IE, UK.

<sup>82</sup> *Inter alia*, a workshop organised by the European Policy Centre on *Skills mismatch and shortages in Europe: A need for increased labour mobility?* (28 February 2013), a publication by the Centre for European Policy Studies on *Social Benefits and Migration – A contested relationship and policy challenge in the EU* - <http://www.ceps.eu/book/social-benefits-and-migration-contested-relationship-and-policy-challenge-eu>; two OECD-EC joint projects "*Matching Economic Migration with Labour Market Needs*" to be finalised by June 2014, and a 2 year project launched in 2013 "*Review of Labour Migration Policy in Europe*".

<sup>83</sup> COM(2013) 795 final of 9.1.2013

<sup>84</sup> Country-specific recommendations 2013, [http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index\\_en.htm](http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_en.htm)

figures<sup>85</sup> show that 44.3% of third-country nationals were at risk of poverty and exclusion, as compared with 24.8% in the EU.

Existing EU indicators as an evidence base to inform integration policies, together with an analysis of their limits and suggestions for improvements, were addressed in the final report of an EU pilot project on indicators of immigrant integration, which was coordinated by the Commission and carried out with the active involvement of the Member States, civil society and the research community. The report<sup>86</sup> and the indicators, together with the recently published European Modules on Migrant Integration<sup>87</sup>, continue to feed into a regular exchange on EU integration policy development, in particular through the network of National Contact Points on Integration.

Attention continued to be paid to the local and regional dimension. In June 2013 the Commission launched, with the support of the Committee of the Regions, an interactive map of integration practices at local and regional level on the European Website on Integration<sup>88</sup>, offering a tool for a peer exchange of information on successful initiatives. Local and regional practitioners were also invited to join the European Integration Forum<sup>89</sup>, as part of the efforts to reinforce their involvement in policy developments on integration. In its two annual meetings, the Forum addressed issues relating to integration of young migrants and the democratic participation of migrants<sup>90</sup>.

## **7. RELATIONS WITH THIRD COUNTRIES**

### **7.1. UN High-level Dialogue on International Migration and Development**

Migration continued to be a prominent issue on the global agenda in 2013. The second High-level Dialogue on International Migration and Development, organised by the UN General Assembly on 3-4 October 2013, renewed and strengthened the political commitment to the issue of international migration and development. The outcome declaration shows that the international community is capable of reaching political agreement on such issues, including on the need for integrating migration into the post-2015 development agenda, and provides testimony to the progress made in recent years in this field. The EU took a very active role during the negotiations of the outcome text, which reflects many of the EU main concerns<sup>91</sup>.

### **7.2. Enhancing cooperation with third countries**

During 2013 the EU pursued the implementation of the GAMM, the overarching framework for the EU external migration and asylum policy, engaging in policy dialogues and operational cooperation with third countries and regions. Significant progress has been made in terms of both strengthening political relations with third countries and regions, notably the

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<sup>85</sup> Eurostat, EU-SILC survey.

<sup>86</sup> Final report is published in August on the European Web Site on Integration, [http://ec.europa.eu/ewsi/en/resources/detail.cfm?ID\\_ITEMS=37216](http://ec.europa.eu/ewsi/en/resources/detail.cfm?ID_ITEMS=37216).

<sup>87</sup> [http://ec.europa.eu/ewsi/en/resources/detail.cfm?ID\\_ITEMS=40802](http://ec.europa.eu/ewsi/en/resources/detail.cfm?ID_ITEMS=40802)

<sup>88</sup> <http://ec.europa.eu/ewsi/en/lra.cfm>

<sup>89</sup> The Forum serves as a main EU platform for consultation with civil society on integration policies.

<sup>90</sup> The reports of the two meetings are available on the European Web Site on Integration, <http://ec.europa.eu/ewsi/en/policy/legal.cfm>.

<sup>91</sup> The EU position ahead of the High-level Dialogue is reflected in the "Conclusions of the Council and of the representatives of the Member States meeting within the Council on the 2013 UN High Level Dialogue on Migration and Development and on broadening the development-migration nexus" (Council document 12415/13) endorses the key messages included in the Commission Communication "Maximising the Development Impact of Migration – The EU contribution for the UN High-Level Dialogue and next steps towards broadening the development-migration nexus" (COM (2013) 292 ).

Southern Mediterranean countries and the Eastern Partnership countries, and contributing to institutional and legislative reforms and capacity building in partner countries. Important steps in this context were the establishment of Mobility Partnerships with Azerbaijan (December 2013), Morocco (June 2013) and Tunisia (March 2014). In December 2013, discussions were launched with Jordan on the establishment of Mobility Partnership.

Visa liberalization dialogues continued with Russia<sup>92</sup>, Ukraine, Moldova, Georgia and Kosovo<sup>93</sup>. The Commission issued progress reports on each of them<sup>94</sup>. A Visa Liberalization Action Plan was presented to Georgia in February and the first Commission Progress Report was published in November 2013<sup>95</sup>. The visa liberalization dialogue with Turkey started on 16 December 2013 in parallel with the signing of the readmission agreement. As for Moldova, the Commission in its Communication concluded that it has fulfilled all the conditions of its action plan, and following agreement on the Commission's proposal to amend the Visa Regulation (Regulation (EC) No 539/2001), the transfer of the Republic of Moldova to the visa free list became effective on 28 April 2014. Through these dialogues, the EU is taking gradual steps towards the ultimate goal of visa-free travel on a case-by-case basis, provided that conditions for well-managed and secure mobility are in place. These dialogues contribute to better migration and asylum management in the partner countries concerned, as they feature benchmarks to fulfill.

Proposals to establish Common Agendas for Migration and Mobility, a more flexible framework for bilateral cooperation than the Mobility Partnerships, which is aimed at priority countries beyond the EU neighbourhood have been submitted to India and Nigeria.

Cooperation continued in the framework of the existing regional and bilateral dialogues, in particular in the context of the Africa-EU Partnership on Migration, Mobility and Employment, the Rabat Process and the EU-ACP Dialogue on migration and development in the South, of the Prague Process and the Eastern Partnership panel on Migration and Asylum in the East, as well as of the EU-CELAC Migration Dialogue. The new Silk Routes Partnership for Migration established within the framework of the Budapest Process at the Ministerial Conference held in Istanbul in April 2013 deserves special mention. The establishment of this partnership is the culmination of the geographical reorientation of the Budapest Process and provides the basis for substantial dialogue and cooperation with the countries along the Silk Route which had been rather limited in the past. It also brings important elements to the forefront such as a clear commitment to respect human rights in migration management.

In October 2013, the first meeting of the High Level Dialogue on Migration and Mobility with China took place. The High Level Dialogue has been established to enable exchange of policy and best practices and explore possibilities of facilitating mobility while strengthening cooperation on fighting irregular migration. The possibility to launch negotiations on readmission issues and a visa waiver for diplomatic passport holders was discussed.

An increasing number of organised crime groups operate in source and transit countries to facilitate irregular migration to the EU. In order to disrupt this activity, 'Irregular Immigration'

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<sup>92</sup> Due to the Crimea Crisis and following the European Council statement of 6 March 2014 the work under the visa dialogue with Russia was suspended.

<sup>93</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

<sup>94</sup> COM(2013)923 of 18.12.2013; COM(2013)809 of 15.11.2013; COM(2013)807 of 15.11.2013; COM(2013) 66 of 8.2.2013.

<sup>95</sup> COM(2013) 808 of 15.11.2013



has been identified as one of the EU Crime Priorities under the EU Policy Cycle for organised and serious international crime 2014-2017.<sup>96</sup> The need to obtain a better picture of the situation in neighbouring countries of transit has become clear. The establishment of networks of Liaison Officers in Libya and Turkey dedicated to irregular migration will be important in this regard.

### **7.3. Climate change adaptation and migration**

On 16 April 2013, a Commission Staff Working Document<sup>97</sup> was published on Climate Change, Environmental Degradation and Migration, as part of the EU Climate Change adaptation Strategy<sup>98</sup>. This document aims at providing a conceptual understanding of the links between climate change, environmental degradation and migration. It also takes stock of tools and initiatives which the EU already possesses to address future challenges in this area and provides orientations for future action, notably under the EU migration and development agenda.

### **7.4. EU 2013 Report on Policy Coherence for Development**

Migration remains one of five priority topics identified by the Council for the EU agenda on Policy Coherence for Development (PCD). The EU's 2013 PCD report<sup>99</sup> provided an overview of the many measures taken by the EU and Member States to maximise the significant development benefits which legal migration to Europe can produce for countries of origin, including in areas such as remittances, brain drain and diaspora. The report noted that more could be done to ensure that development concerns are taken into account in labour migration and mobility policies at both EU and Member State levels.

### **7.5. The report on the Global Approach on Migration and Mobility**

In February 2014, the Commission presented its first biennial Report on the implementation of the Global Approach to Migration and Mobility, covering the period 2012-2013<sup>100</sup>. The report takes stock of the main achievements, draws lessons from the past implementation, and looks into some avenues both at the level of policies and in relation to implementation modalities. The report concludes that the GAMM continues to be an efficient framework to engage third countries and regions in policy dialogue and operational cooperation. The report was followed by Council conclusions adopted on 14 April 2014.

## **8. A NEW ASYLUM, MIGRATION AND INTEGRATION FUND (AMIF)**

The Commission adopted the package of proposals for the next multiannual financial framework 2014-2020 in the area of Home Affairs on 15 November 2011<sup>101</sup>. This package covered 4 legislative proposals which together provide for the creation of an Asylum, Migration and Integration Fund (AMIF) and an Internal Security Fund (ISF).

Negotiations with the European Parliament and the Council started in 2012 and were successfully concluded in the end of 2013. The result constitutes a good compromise that meets the concerns of all parties reflecting the high sensitivity of this policy area.

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<sup>96</sup> Council Conclusions, JHA Council 6-7.6.2013.:  
[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/137401.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/137401.pdf)

<sup>97</sup> SWD (2013) 138 of 16.4.2013

<sup>98</sup> [http://ec.europa.eu/clima/policies/adaptation/what/index\\_en.htm](http://ec.europa.eu/clima/policies/adaptation/what/index_en.htm)

<sup>99</sup> SWD (2013) 456 of 31.10.2013

<sup>100</sup> COM(2014) 96 of 21.2.2014

<sup>101</sup> COM(2011) 751 final of 15.11.2011

The AMIF is a more comprehensive instrument than the former three Funds it succeeds - the European Refugee Fund, the European Fund for the Integration of third-country nationals and the European Return Fund - aiming at supporting the effective and integrated management of migration flows in the EU while taking into account the principle of solidarity and responsibility sharing. Almost 90% of its overall resources (EUR 3 137 million) will be channelled through national programmes covering the whole period 2014-2020.

To allow a better alignment of the resources used at national level with EU policy objectives and priorities, Policy Dialogues between the Commission and each MS took place in the second half of 2013. MS are currently in the process of drafting their multi-annual national programmes which they will formally submit once the AMIF has entered into force.

Another novelty introduced in the new Funds is the possibility to support actions related to the external dimension, with a special focus on readmission agreements, mobility partnerships and regional protection programmes. The Fund also foresees an emergency assistance mechanism able to respond quickly to migratory pressures in MS and third countries.

The Fund will continue to strengthen and develop the Common European Asylum System by ensuring the efficient and uniform application of the EU *acquis* and enhance solidarity between MS. It will also encourage the development of proactive integration strategies, including actions during the pre-departure stage, and promote a local approach to integration, paying particular attention to the needs of beneficiaries of international protection, as well as to vulnerable groups of migrants. The Fund will further support fair and effective return management with emphasis on voluntary (assisted) return.

These AMIF funded actions will be complemented by the Internal Security Fund, in particular its Borders and Visa component, through which support will be provided to the management and surveillance of the EU external borders and development of the EU visa policy, thus facilitating the mobility of legitimate travellers and countering irregular crossing of EU borders.

## **9. NETWORKING AND COMMUNICATING ON ASYLUM AND MIGRATION**

### **9.1. The European Migration Network (EMN)**

The EMN<sup>102</sup> increased its role in supporting evidence-based advice to policy making, by providing up-to-date, objective, reliable and comparable information on migration and asylum. In 2013, the main output of the EMN work included studies on Immigration of International Students to the EU, on Identifying Identity in International Protection, on Intra-EU Mobility and on attracting highly-qualified third-country nationals<sup>103</sup>. The EMN annual conference took place in Vilnius on the topic of growth, labour shortages and migration<sup>104</sup>.

### **9.2. Communicating key messages on immigration and asylum**

An effective communication strategy regarding migration issues is key in reaching out to target groups, and help both EU and non-EU citizens understand the challenges and benefits of immigration. The Commission produces a variety of material on migration-related topics. In 2013, it also organised the competition "Migrants in Europe", with over 750 schools from all 28 MS submitting audio-visual pieces of work on the contribution of migrants to the EU

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<sup>102</sup> Established by Council Decision 2008/381/EC.

<sup>103</sup> EMN outcomes available online at [www.ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network](http://www.ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network).

<sup>104</sup> <http://emn2013.lt/>

society<sup>105</sup>. Special screenings took place, of films with a focus on the topic of trafficking in human beings<sup>106</sup>. The Spanish, Arabic and Portuguese versions of the EU Immigration Portal were launched. The Portal provides user-friendly information on EU and national immigration policies and laws, and is intended for third country nationals wishing to migrate to the EU<sup>107</sup>.

## **10. CONCLUSIONS AND WAY FORWARD**

While significant progress has been achieved with respect to certain areas of migration management, the developments of 2013 clearly show the importance for the EU and its Member States to continue and increase their action in the field of immigration, asylum, and border management. The EU must take determined action to prevent migrants losing their lives in the attempt to reach the European shores and to step up the fight against organised crime that prospers through smuggling and trafficking of human beings. The EU must ensure that Europe's borders are safe and secure with appropriate legal channels for entry.

Efforts need to be stepped up to fight violence and discrimination against migrants, and actively promote integration into our societies, as well as to combat racism and xenophobia, factors that affect social cohesion and can deter migrants, including highly qualified ones, to choose Europe as a destination.

The Commission will continue to support and promote well-managed migration, and welcomes the debate that will arise in the European Parliament and the Council on the basis of this report.

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<sup>105</sup> [http://europa.eu/rapid/press-release\\_IP-13-945\\_en.htm](http://europa.eu/rapid/press-release_IP-13-945_en.htm)

<sup>106</sup> "Sestre" by Vladimir Paskljević on the EU Open Door Day 2013; "Not my Life" by Robert Bilheimer on the EU Anti-trafficking day

<sup>107</sup> <http://ec.europa.eu/immigration>